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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/757,849	01/09/2001	James E. Wright	2003260-0001	8156

7590 05/21/2003

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EXAMINER

ALAM, SHAHID AL

ART UNIT	PAPER NUMBER
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2172

DATE MAILED: 05/21/2003

8

Please find below and/or attached an Office communication concerning this application or proceeding.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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Commissioner for Patents

Shahid Al Alam
Primary Examiner
Art Unit: 2172

Office Action Summary

Application No.

09/757,849

Applicant(s)

WRIGHT, JAMES E.

Examiner

Shahid Al Alam

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 March 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17, 19 and 20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17, 19 and 20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed on March 4, 2003 with respect to claims 1 – 17 and 19 - 20 have been fully considered but they are not persuasive for the following reasons:

Applicant argues that (1) Shah does not teach internal links between objects, (2) Shah does not discuss annotation in the sense that the term is used in the present application, and (3) Shah and Shklar do not teach that the search objects may contain internal links. Examiner disagrees with the Applicant.

Examiner wants to clear the terminology of "annotation" as recited in the Microsoft Computer Dictionary, Fifth Edition (QA 76.15 .M54 2002 c.99), where the term "annotation" is a note or comment attached to some part of a document to provide related information. Some applications support voice annotations or annotations accessible by icons (copy attached). Shah teaches that users can set up annotation relationships among artifacts or relationships correlating all documents about a certain subject without explicitly including them in a collection (see page 21, right column – page 22, left column). Shah teaches that when a user connects to a server, the system dynamically produces HTML pages that constitute the user interface. By activating links and using HTML forms, the user can navigate, search, and access the information maintained by the server. Shah teaches a MIME type to display the original artifact on the client browser (pages 22 and 23). Shah teaches HTML formatted documents and by inherency HTML document have internal links. Shklar

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teaches in Figure 10 that shows a Web page that is generated by the system after searching for decisions using specific keywords using the index referenced by the repository "LSIColl." The result of the query is a list of the members of the set in "CaseSet." Since each member is a repository, we see not only a hyperlink for its content, but also hyperlinks for individual opinions. The dynamic Web page for the case unit which is referenced in the first hyperlink of FIG. 10 is shown in FIG. 11 (column 8, lines 33 – 41). Shklar teaches in column 4, lines 1 – 25, that the individual item metadata units 220 are then grouped according to their association by a container 230 and stored together on the main server as a repository 240, containing all the necessary information to retrieve and display the stored data news items 210 in any desired format (any desired format can be a hierarchical format or a layered format as shown in Figure 2, unit 220). Shah and Shklar teach all of the limitation as claimed by the Applicant.

Applicant argues that Shah does not discuss annotation in the sense that the term is used in the present application and that objects may have internal links to one another.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., "annotation in the sense that the term is used in the present application" and "internal links") are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read

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into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

For the above reasons, Examiner believed that rejection of the last office action was proper.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 16 – 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Kshitij Shah et al. of INFOHARNESS ("Shah").

With respect to claim 1, Shah teaches acquiring a search group of heterogeneously typed objects, wherein at least one of the objects comprises a link to another object;

determining for at least a portion of the object in the search group a set of targets of links from the objects, including determining whether the link targets are inside the search group; and

displaying a representation of at least one searched object, the representation having at least one display attribute determined by the set of link targets (page 18, lines 9 – 15, page 22, left column, line 21 – right column, line 9).

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With respect to claim 16, Shah teaches acquiring a first search group of objects; displaying a representation of at least a portion of the first search group of objects; and annotating one or more members of the first search group of objects, wherein annotations may be selectively displayed with the representation of the annotated objects (page 18, lines 9 – 15, page 21, right column, line 44 – page 22, right column, line 9).

As to claim 17, acquiring a second search group of objects; and displaying a representation of at least a portion of the second search group of objects, wherein displaying the representation of annotated objects that are members of both the first search group and the second search group includes selectively displaying annotations of the objects (page 18, lines 9 – 15, page 21, right column, line 44 – page 22, right column, line 9; Shah).

As to claim 18, the representations are displayed on a graph (page 22, right column, lines 3 – 23; Shah).

As to claim 19, the objects include links to other objects, and wherein at least a portion of the links are displayed as connectors between representations of the objects (page 22, left column, line 23 – right column, line 9; Shah).

As to claim 20, annotating one or more links (page 21, right column, line 44 – page 22, left column, line 3; Shah).

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Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2 – 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shah as applied to claim 1 above, and further in view of U.S. Patent Number 5,983,267 issued to Leon Shklar ("Shklar").

With respect to claim 2, Shah teaches acquiring a search group of heterogeneously typed objects, wherein at least one of the objects comprises a link to another object;

determining for at least a portion of the object in the search group a set of targets of links from the objects, including determining whether the link targets are inside the search group; and

displaying a representation of at least one searched object, the representation having at least one display attribute determined by the set of link targets (page 18, lines 9 – 15, page 22, left column, line 21 – right column, line 9).

Shah does not explicitly teach displayed representations are arranged into a plurality of display layers, and wherein the display layers can be independently hidden or displayed as claimed.

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Shklar discloses displayed representations are arranged into a plurality of display layers, and wherein the display layers can be independently hidden or displayed as claimed (The individual item metadata units are then grouped, . . . , display the stored data news items in any desired format. The user has requested display of the data in a hierarchical format, . . . , see Figure 2, column 4, lines 1 – 5 and 57 – 61).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Shklar with Shah, because combination would provide a system and method that analyzes and pre-indexes stored data, without altering the data, to accomplish real-time generation of an enhanced format presentation of the stored data for display (column 2, lines 5 – 8; Shklar).

As to claim 3, the display attribute is selected from the group consisting of color, shape, size, position, highlighting, graphical flags, and labeling text (page 23, left column, lines 3 – 10; Shah).

As to claim 4, representations of a plurality of objects are displayed on a graph (page 22, right column, lines 3 – 23; Shah).

As to claim 5, representations of a plurality of objects are displayed, and wherein at least one link between objects is depicted by a connector between the representations (page 22, left column, line 20 – right column, line 7; Shah).

As to claim 6, a display attribute of the connector is determined by a property selected from the group consisting of the type of the linking object, the type of the link target, and the type of the link (column 4, lines 1 – 14; Shklar).

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As to claim 7, a display attribute of the representation is determined by object metadata (column 3, lines 40 – 45; Shklar).

As to claim 8, determining link targets includes recursively determining targets of links of an expanded set of objects comprising the original search group and the objects linked to by the search group (column 4, lines 8 – 25; Shklar).

As to claim 9, the recursion level is in the range of 1-10 (column 7, lines 43 – 49; Shklar).

With respect to claims 10, 11 and 12, Shah and Shklar teach the search objects substantially as claimed. Shah and Shklar teach metadata and Shklar teaches court case data in the abstract, in Figures 10 and 11 and in column 7, line 26 – column 8, line 40. Shah and Shklar do not explicitly teach legal data, scientific or medical article or patent data as claimed.

It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modifying data to be legal data, scientific or medical article or patent since differences in type of data do not distinguish the invention in term of petentability.

See *In re Gulack* , 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983) (when descriptive material is not functionally related to the substrate, the descriptive material will not distinguish the invention from the prior art in terms of patentability).

As to claim 13, annotating at least one of the search objects (page 21, right column, line 44 – right column, line 3; Shah).

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As to claim 14, at least a portion of the searched objects and link targets are classified into a plurality of groups, further comprising setting a display attribute for all members of a group (column 4, lines 1 – 5; Shklar).

As to claim 15, displayed representations are sorted on at least one axis according to a property of the objects represented (column 4, lines 1 – 5; Shklar).

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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Contact Information

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shahid Al Alam whose telephone number is (703) 305-2358. The examiner can normally be reached on Monday - Thursday 8:00 A.M. to 4:30 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y. Vu can be reached on (703) 305-4393. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.



Shahid Al Alam
Primary Examiner
Art Unit 2172

SAA
May 18, 2003